

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 21

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RICHARD L. HARTMAN, MARY M. SPOKANE
AND ROY P. MASSENA

Appeal No. 2002-0362
Application 09/054,339

ORDER REMANDING TO EXAMINER

Information Disclosure Statement were filed August 24, 1998 (Paper No. 4) and May 11, 2000 (Paper No. 14). It is not apparent from the record that the examiner considered the statements submitted nor notified applicant of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that the application is remanded to the Examiner for such consideration of the Information Disclosure Statement and for such further action as may be appropriate.

Appeal No. 2002-0362
Application 08/854,484

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____
Craig Feinberg
Program and Resource Administrator
(703) 308-9797

CF:caw

WELLS ST JOHN ROBERTS GREGORY
AND MATKIN
SUITE 1300
601 W FIRST AVENUE
SPOKANE, WA 99201-3828